

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	CRIMINAL NO. 04-30033-MAP
)	
v.)	
)	
MERYLINA ASSELIN,)	
)	
Defendant.)	
)	

**GOVERNMENT'S MOTION TO DISMISS ALL COUNTS
PENDING AGAINST DEFENDANT MERYLINA ASSELIN**

The United States of America, by and through Michael J. Sullivan, United States Attorney for the District of Massachusetts, and Steven H. Breslow, Assistant United States Attorney, hereby files this Motion To Dismiss All Counts Pending Against Defendant Merylina Asselin.

1. On July 9, 2004, the Grand Jury returned an Indictment against Merylina Asselin in United States District Court for the District of Massachusetts captioned United States v. Raymond Asselin, Sr., et al., Criminal No. 04-30033-MAP, charging the defendant with, among other things, conspiring to receive gratuities and receipt of gratuities, in violation of 18 U.S.C. §§ 371 and 201, and conspiracy to commit theft against the United States, in violation of 18 U.S.C. §§ 371 and 641. Merylina Asselin was arraigned on the Indictment on July 12, 2004.

2. On January 11, 2005, the Grand Jury returned a Superseding Indictment against Merylina Asselin in United States District Court for the District of Massachusetts captioned United States v. Raymond Asselin, Sr., et al., Criminal No. 04-30033-MAP, charging the defendant with, among other things, the same violations described above. Merylina Asselin was arraigned on the Superseding Indictment on January 19, 2005.

3. On October 2, 2006, the government filed a Pre-Trial Diversion Agreement pursuant to which the government deferred the defendant's prosecution for a period of eighteen months and agreed to seek dismissal of the indictment with prejudice within thirty days of the diversionary period.

4. By Memorandum dated March 27, 2008, the Pretrial Services Office stated that the defendant fully complied with the conditions of the Pretrial Diversion Program and, accordingly, recommended that the defendant be successfully terminated from the Pretrial Diversion Program.

5. The diversionary period expired on April 2, 2008. The defendant has been subject to pre-trial release conditions during the diversionary period, and has not violated any such condition.

6. Accordingly, the government respectfully requests that the Court dismiss with prejudice all pending counts against the defendant.

Filed this 4th day of April, 2008.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

/s/ Steven H. Breslow
STEVEN H. BRESLOW
Assistant United States Attorney

CERTIFICATE OF SERVICE

Hampden, ss.

Springfield, Massachusetts
April 4, 2008

I, Steven H. Breslow, Assistant U.S. Attorney, do hereby certify that I have served a copy of the foregoing by electronically filing said motion to:

David Hoose Esq.
Sasson, Turnbull & Hoose
1145 Main Street, Suite 304
Springfield, MA 011103
Counsel for defendant Merylina Asselin

/s/ Steven H. Breslow
STEVEN H. BRESLOW
Assistant United States Attorney